

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FEDERAL TRADE COMMISSION, et al,

Plaintiff,

v.

AMERICAN FUTURE SYSTEMS, INC. et
al,

Defendant.

CIVIL ACTION
NO. 20-2266

**PRELIMINARY ORDER ON DEFENDANTS' MOTION FOR ATTORNEYS' FEES,
EXPENSES AND COSTS UNDER THE EQUAL ACCESS TO JUSTICE ACT, 28 U.S.C.
§ 2412**

AND NOW, this 16th day of May 2025, upon consideration of Defendants' Motion for Attorneys' Fees, Expenses and Costs under the Equal Access to Justice Act, 28 U.S.C. § 2412 (Doc. No. 478), the FTC's Response in Opposition (Doc. No. 481), Defendants' Reply (Doc. No. 482), and in accordance with the Opinion of the Court issued this day, it is **ORDERED** as follows:

1. Defendants' Motion for Attorneys' Fees, Expenses and Costs under the Equal Access to Justice Act (Doc. No. 478) is **GRANTED** in part. AFS is awarded reasonable attorneys' fees, expenses and costs in this case. The amount is yet to be determined.
2. In accordance with the Opinion of the Court issued this day, and in conformance with the requirements of the Equal Access to Justice Act, AFS shall submit the following supplemental documentation to justify the amount of the award within

fourteen (14) days of the date of this Order:

- a. Timesheets that include the total number of hours billed for each firm member, including paralegals, and for the firm as a whole, and the total fees requested.
- b. Invoices for expert witness fees that provide “the actual time expended and the rate at which fees and other expenses were computed” pursuant to the Equal Access to Justice Act and the total amount requested.
- c. Invoices or receipts for database hosting and e-discovery services and legal authority as to whether these requests are sought as “expenses” or “costs” under the Equal Access to Justice Act and the total amount requested.
- d. Legal authority in support of AFS’s request for special master fees, trial technology services and subpoenas, and whether these requests are sought as “expenses” or “costs” under the Equal Access to Justice Act and the total amount requested.
- e. Any other fees, expenses or costs with supporting legal authority for the request under the Equal Access to Justice Act and the total amount requested.

3. The FTC will have seven (7) days to respond to AFS’s supplemental filings pursuant to this Order.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.